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Fax INTELLECTUAL PROPERTY LAW

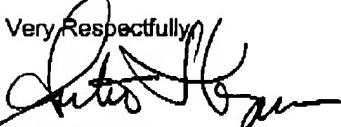
To:	U.S. Patent & Trademark Office	From:	Ronald E. Smith
Attn:	Joseph P. Hir - Art Unit 2121	Client:	1372.61.PRWOUS
Fax:	(703)746-7239	Pages:	4 including coversheet
Phone:	(571) 272-3685	Date:	October 22, 2004
Re:	USSN 09/940,878	CC:	University of South Florida (Assignee)

Urgent For Review Please Comment Please Reply Please Recycle

Dear Examiner Hir:

In response to the non-final office action mailed September 27, 2004, we enclose the following:

1. Amendment Transmittal with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated October 22, 2004 (1 page); and
2. Response to Election/Restriction Requirement (2 pages).

Very Respectfully,


Anton J. Hopen
Reg. No. 41,849

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Practitioner's Docket No. 1372.61.PRWOUS

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Emmanuel Lazaridis

)

Serial No.: 09/940,878

)

Art Unit: 2121

Filed: 08/29/2001

)

Examiner: Joseph P. Hirl

For: Methods for Classifying Objects and
Identifying Latent Classes

)

Confirmation: 5633

Faxed to Technology Center 2100 at (703) 746-7239
 Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

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AMENDMENT TRANSMITTAL

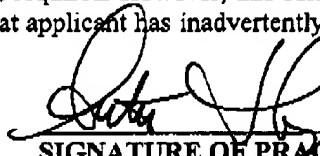
- Transmitted herewith is a Response To Election/Restriction Requirement for this application.

STATUS

- Applicant is an independent inventor. A statement was already filed.

EXTENSION OF TERM

- The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.
 Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.



SIGNATURE OF PRACTITIONER

Anton J. Hopen
 Smith & Hopen, P.A.
 15950 Bay Vista Drive, Ste. 220
 Clearwater, FL 33760
 (727) 507-8558

Reg. No.: 41,849
 Customer No.: 21,901

CERTIFICATE OF FACSIMILE TRANSMISSION

(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this correspondence is being transmitted by facsimile to the U.S. Patent and Trademark Office, Group Art Unit 2100, Attn: Joseph P. Hirl, (703) 746-7239 on October 22, 2004.

Dated: October 22, 2004



Charlene Morgan

(Amendment Transmittal—page 1)

Practitioner's Docket No.: 1372.61.PRWOUS

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Emmanuel Lazaridis)
Serial No.: 09/940,878) Art Unit: 2121
Filed: 08/29/2001) Examiner: Joseph P. Hirl
For: Method for Classifying Objects and) Confirmation: 5633
Identifying Latent Classes)

Faxed to Technology Center 2100 at (703) 746-7239
Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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OCT 22 2004

Dear Sir:

Applicant responds to the nonfinal Examiner's action mailed September 27, 2004, having a shortened statutory period for response set to expire October 27, 2004 as follows:

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

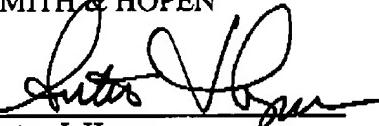
Applicant elects to prosecute claims 21-36, drawn to molecular biology processes, classified in class 435, subclass 4. The claims readable thereon are claims 21-36. This election is made without traverse.

REMARKS

If an Examiner's Amendment would place the pending claims in condition for allowance, a telephone call to the undersigned at (727) 507-8558 is requested.

Very respectfully,

SMITH & HOPEN

By: 

Anton J. Hopen
Suite 220
15950 Bay Vista Drive
Clearwater, FL 33760
(727) 507-8558
Attorneys for Applicant

Dated: October 22, 2004

pc: University of South Florida (Assignee)

CERTIFICATE OF FACSIMILE TRANSMISSION
(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this Response to Election/Restriction Requirement is being transmitted by facsimile to the U.S. Patent and Trademark Office, Group Art Unit 2100, Attn: Joseph P. Hirl, (703) 746-7239 on October 22, 2004.

Dated: October 22, 2004

Charlene Morgan
Charlene Morgan